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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,486	02/28/2002	Jan Gerard Snip	PTT-136/CIP	5726

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EXAMINER

HASHEM, LISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/085,486	SNIP ET AL.	
	Examiner	Art Unit	
	Lisa Hashem	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-11 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-11 and 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL DETAILED ACTION

Claim Objections

1. Claims 1, 5-10, 11, and 15-22 are objected to because of the following informalities: The claims include reference numbers of Figure 2 in the instant application. These reference numbers should be removed. Appropriate correction is required.
2. Claim 1 recites the limitation "said second protocol" in line 18 of page 2. There is insufficient antecedent basis for this limitation in the claim. The limitation should read 'a second protocol'.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5-10, 11, 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. US 2001/0019951 by Haumont in further view of U.S. Patent Application No. US 2002/0112014 by Bennett et al, hereinafter Bennett.

Regarding claim 1, Haumont discloses a method of transferring a message (e.g. voice mail message) stored in a computer arrangement or voice mail server (Figure 1, 20) to a mobile device (Figure 1, 30), comprising: transmitting an alert message via SMS from said computer arrangement to said mobile device via a first network (see Figure 1; section 0002, line 1 – section 0004, line 9; section 0042, line 1 – section 0043, line 8); transmitting said message stored in said computer arrangement (Figure 1, 20) to said mobile device (Figure 1, 30) upon request from said

mobile device (section 0043, lines 1-8) via a second network (section 0044, lines 1-7); establishing an on-line connection between said computer arrangement and said mobile device (Figure 1; section 0044, lines 1-7); translating said message in a second protocol before transmission to said mobile device (section 0054, lines 1-11); wherein both said first and second networks being mobile networks working in parallel; and wherein said first network (GSM) inherently is arranged to utilize a first protocol and wherein said second network (GPRS) is inherently arranged to utilize a second protocol (section 0042, line 1 – section 0044, line 7).

Haumont does not disclose said message from said computer arrangement to a protocol translator using a third protocol.

Bennett discloses a method of transferring a message from a MO SMS phone (sender) (Fig. 1, 16) to a mobile device or (receiver) (see Fig. 1, 20) via a computer arrangement or central server (Fig. 1, 24) (section 0022, lines 1-7), comprising: transmitting said message from said computer arrangement (Fig. 1a, 24) to said mobile device via a GSM network (section 0004, lines 1-27; section 0026, lines 1-17); sending said message from said computer arrangement to a protocol translator or remote POP3 server using a third protocol (SMTP) via a host SMSC network, translating said message in said third protocol to a email message in a second protocol or POP3 before transmission to said mobile device (section 0052, line 1 – section 0054, line 4; section 0089, lines 1-11; section 0094, lines 6-7; section 0132, lines 12-14; section 0133, lines 3-7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include using a third protocol as taught by Bennett. One of ordinary skill in the art would have been lead to make such a modification to

Art Unit: 2645

translate said message before transmission to said mobile device in order for it to be viewed by the user of said mobile device.

Regarding claim 5, the method according to claim 1 mentioned above, wherein Bennett further discloses said computer arrangement is an e-mail server (e.g. POP3 email server is included in the central server) (section 0089, lines 9-11),

Regarding claim 6, the method according to claim 5 mentioned above, wherein Bennett further discloses said message is an e-mail message (section 0089, lines 1-11).

Regarding claim 8, the method according to claim 1 mentioned above, wherein Haumont further discloses the second wireless network is either GPRS or UMTS (see Abstract; section 0049, lines 1-4; section 0051, lines 1-7, section 0054, lines 1-11).

Regarding claim 9, a method according to claim 1 mentioned above, wherein Haumont further discloses said first wireless network is GSM (section 0002, line 1 – section 0004, line 9).

Regarding claim 10, a method according to claim 1 mentioned above, wherein Haumont further discloses establishing an on-line connection between said computer arrangement and said mobile device either automatically by said mobile device or by said mobile device after being instructed to do so by a user of the mobile device (section 0043, line 1 - section 0044, line 7).

Regarding claim 11, a please see the rejection to the method in claim 1 mentioned above, to reject the communication system in claim 11.

Regarding claim 15, a communication system according to claim 11 mentioned above, wherein Bennett further discloses said protocol translator (POP3 email server) is included in the computer arrangement or central server (section 0089, lines 9-11).

Regarding claim 16, a communication system according to claim 11 mentioned above, wherein please see the rejection to the method in claim 5 above, to reject the system in claim 16.

Regarding claim 17, a communication system according to claim 16 mentioned above, wherein Bennett further discloses said message is an e-mail stored at the e-mail server (section 0089, lines 9-11).

Regarding claim 18, a communication system according to claim 11 mentioned above, wherein Haumont further discloses the system comprises a gateway (section 0039, lines 1-4) between the computer arrangement (Figure 1, 20) and the first and second mobile networks.

Regarding claim 20, a communication system according to claim 11 mentioned above, wherein Haumont further discloses the system comprises at least one mobile device (Figure 1, 30; section 0042, lines 1-8).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haumont in view of Bennett, as applied to claim 1, in further view of U.S. Patent No. 6,243,739 by Schwartz.

Regarding claim 7, the method according to claim 1 mentioned above, wherein Haumont in view of Bennett do not disclose said second protocol is HTTP.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see

Art Unit: 2645

Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses said second protocol is inherently HDTP, which resembles HTTP but is optimized for use with remote devices like wireless telephones (column 5, lines 10-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont in view of Bennett to include said second protocol is HTTP as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a protocol (e.g. HTTP) to transmit messages to said mobile device.

6. Claims 19, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haumont in view of Bennett, as applied to claim 11, in further view of Schwartz.

Regarding claim 19, a communication system according to claim 18 mentioned above, wherein Haumont further discloses the computer arrangement, upon receiving said message generates an SMS message for said mobile device including said alert message (section 0045, lines 1-9)

Haumont in view of Bennett do not disclose the computer arrangement establishing a PAP message to said gateway and the gateway generating an SMS message for said mobile device.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line

Art Unit: 2645

7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Schwartz further discloses, in operation, the computer arrangement (Figure 1, 51), upon inherently receiving said message, inherently establishes a PAP (standard authentication) message and transmits this PAP message via a PAP protocol to said gateway (Figure 1, 31; column 7, lines 58-59; column 8, lines 25-46), and the gateway (Figure 1, 31), upon receiving said PAP message, generates a message for said mobile device (Figure 1, 11) including said alert message (column 10, lines 22-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont in view of Bennett to include a PAP message and a gateway generating an alert message as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a third protocol (e.g. PAP) to transmit messages from said computer arrangement to said mobile device and to send alerts to said mobile device from a device other than the computer arrangement (e.g. a gateway).

Regarding claim 21, a communication system according to claim 20 mentioned above, wherein Haumont in view of Bennett do not disclose said mobile device is arranged to generate an HTTP get message upon receiving said alert message.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network

Art Unit: 2645

(Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses said mobile device (Figure 1, 11) is arranged to generate an HTTP get message or HDTP “Service Request” upon receiving said alert message, via computer (Figure 1, 31), either automatically or after having received an instruction to that effect from a user of the mobile device (column 7, lines 24-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont in view of Bennett to include HTTP get message as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a HTTP get message to indicate the transfer of the message stored in the computer arrangement to the mobile device.

Regarding claim 22, a communication system according to claim 21 mentioned above, wherein Schwartz further discloses said protocol translator is arranged to translate said message to a HTTP or HDTP reply message (column 7, lines 58-66).

Response to Amendment

7. All 35 U.S.C. 112 rejections noted in the non-final office action filed on 12-17-2004 are withdrawn.
8. Applicant's arguments with respect to claims 1, 5-10, 11, and 15-22, have been considered but are moot in view of the new ground(s) of rejection.
9. Accordingly, this action is **FINAL**.

Conclusion

10. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
11. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9306 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

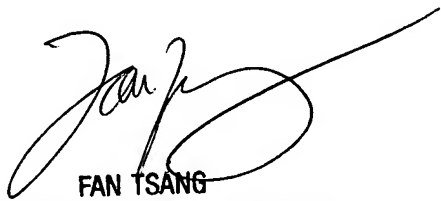
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh
July 3, 2005


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